IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

WRIT PETITION NO.10679 OF 2007

Dated : July 09, 2007

Between:

Garikipati Taatabbai

Petitioner

AND

The Government of Andhra Pradesh,
Rep. By its Secretary, Home Department,
Secretariat Buildings, Hyderabad and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

WRIT PETITION NO. 10679 OF 2007

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.S.R.VARMA)**

Heard the learned Government Pleader for Home,

representing the learned Advocate General, appearing for the respondents.

2. This writ petition is filed seeking a direction to the respondents to produce Garikapati Kohili, minor daughter of the petitoner, by rescuing her from the illegal detention of one Kona Ramesh – 4th respondent herein, and to give her custody to the petitioner.

3. By virtue of the orders of this Court, the third respondent produced the girl by name Garikapati Kohili, before this Court and when she was questioned by this Court, she stated that she fell in love with one Kona Ramesh, married him and presently she has been living with her husband at Hyderabad.

4. However, it is the allegation from the other side that she was a minor as on the date of her marriage with the said person and in order to show that she was a minor, the father of the girl produced documentary evidence before this court by way of Secondary School Certificate, wherein, her date of birth has been shown as 26.06.1989. Obviously, if that date is taken into consideration as of now, she is a major. This Court is not at all concerned with the status of the girl, as a minor, as on the date of marriage, and it is not relevant as of today. After all, the marriage with the alleged person, by name Ramesh, is only voidable, inasmuch as, other things are not in dispute. Since the girl is major now, she is at liberty and has the freedom to exercise her discretion. Accordingly, the girl expressed, before this Court, her strong will and desire to stay and live with her husband, by name Ramesh.

5. In view of the same, we do not find any merit in

the writ petition to proceed any longer and the same is liable to be closed.

6. Accordingly, the writ petition is closed, at the stage of admission. No order as to costs.

7. The Station House Officer, Musunuru Police Station, Musunuru Village & Mandal, Krishna District, third respondent, is directed to see that the custody of the girl is handed over to her husband.

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D.S.R.Varma, J.

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D.Appa Rao, J.

July 09, 2007
MAS